

MINUTES  
Of the October 24, 2003 meeting of the  
BOARD OF PAROLE COMMISSIONERS

NOTE: The following minutes have not yet been approved and are subject to revision at the next meeting of the Board.

The Board of Parole Commissioners held a public meeting on October 24, 2003 beginning at 9:05 AM at the following locations:

Conference room at the central office of the Department of Corrections located at 4070 Silver Sage Road, Carson City, NV video-conference to the Parole Board office at 2601 E. Sahara Ave, Las Vegas, NV.

**I. Call to order, roll call 9:05 AM**

The meeting was called to order by Chairman Dorla Salling. Present in Carson City were commissioners Goodson, Bisbee, Morrow and Chairman Salling. Present in Las Vegas were commissioners Morales, Bass and Hanebeck. No members were absent.

Support staff and subject matter experts in attendance in Carson city:

Monica Howk, Executive Secretary  
David Smith, Management Analyst III  
Glade Myler Deputy Attorney General  
Dr. James Austin of the George Washington University.

Members of the public present in Carson City included :

Pat Hines Nev. Cure  
Attorney Paul Quade  
Kim Saunders  
David Joseph

No members of the public attended in the Las Vegas office.

**II. Approve the minutes from the July 23, 2003 meeting.**

MOTION: Approve the minutes from the July 23, 2003 meeting

MADE BY: Commissioner Morrow

SECONDED BY: Commissioner Morales

VOTES IN FAVOR: Bass, Morales, Bisbee, Goodson, Hanebeck, Morrow, Salling

VOTES OPPOSED: None

**III. Session to consider the recommendation by the Division of Parole and Probation for the early termination of parole on the following parolees: (Note: Portions of this discussion may be closed in accordance with NRS 241.033)**

A. MOTION: Enter into closed session.

MADE BY: Commissioner Goodson

SECONDED BY: Commissioner Morrow

VOTES IN FAVOR: Bass, Morales, Bisbee, Goodson, Hanebeck, Morrow, Salling

VOTES OPPOSED: None

B. Discussion in closed session to review the recommendations made by P&P for the early termination from parole on the following parolees:

1. Timothy Dunagen
2. Dee Val Towles
3. Kim Saunders

C. Motion to open session and take action on the recommendations of P&P on cases listed above.

Roll call vote taken with regard to whether or not the Board should petition the court to request a modification of sentence for the early termination from parole:

1. Timothy Dunagen - The board unanimously voted No.
2. Dee Val Towles - The board unanimously voted No.
3. Kim Saunders - The board unanimously voted No.

**IV Input and discussion on study being conducted by Dr. James Austin of the George Washington University through a grant funded by the National Institute of**

**Corrections. Board may act to provide direction and guidance on this project and may choose risk factors that may be incorporated in a future risk assessment and /or parole guideline.**

Discussion included the risk of persons with multiple sex/violent offenses and the component on the risk assessment that pertained to prior convictions. Dr. Austin clarified that offenders with current or prior convictions for crimes related to economic gain were a higher risk. Clarification on the specific Nevada Offenses would be provided to Mr. Smith.

Dr. Austin and David Smith presented two grids containing ranges of suggested months to serve based on risk. One chart depicted a suggested range of months based on the current offense severity ranges that are used by the Board. The second chart depicted a suggested range of months based on the minimum sentence imposed (for "A" crimes) and maximum sentence imposed on all other crimes.

The Board was asked to compare the current guideline to the two suggested grids and provide feedback as to whether or not anything appeared inappropriate. Dr. Austin requested that the Board review 300-400 cases using the risk assessment with these two grids as soon as possible, preferably during the month of December, so that he can report back to the Board his findings at a meeting in January, 2004. Mr. Smith will contact the NDOC and coordinate the implementation of the risk assessment as a component of the progress report.

Dr. Austin indicated that it is normal that we would see about a 5-15% deviation from the guideline and that we should probably see about a 55% grant rate using the new risk assessment. Mr. Smith indicated that the board deviates about 10-15% of the time using the current guideline.

The Board did not take action on this item.

**V Audit Report No. 03-07 by the Division of Internal Audits. The Board may discuss pro's and con's of conducting hearings in absentia based on test cases conducted in September and October. The Board may take action regarding the recommendation made by the Division of Internal Audits.**

Mr. Smith presented information to the Board regarding the test hearings conducted during the last two months and the problems associated with them. Difficulties included determining who should be seen. Another difficulty was coordinating the scheduling a face-to-face hearing of an inmate originally scheduled in absentia. The commissioners discussed how much time and money they have saved by doing in absentia hearings.

The Board discussed the use of a questionnaire that would be filled out by inmates. Additional discussion surrounded the use of a questionnaire and the potential language problems associated with such a request.

MOTION: On a trial basis during the months of December 2003 and January 2004, the Board

will conduct in absentia hearings on inmates housed in minimum custody facilities, inmates on house arrest, inmates at NNRC and inmates who have failed their psych panel.

MADE BY: Commissioner Goodson

SECONDED BY: Commissioner Hanebeck

VOTES IN FAVOR: Salling, Morrow, Goodson, Bisbee, Hanebeck,

VOTES OPPOSED: Bass, Morales

Motion carried.

**VI Discussion of changes in the law and opinions effecting the Board's publication entitled Operation of the Board. Possible action to revise the publication based on the discussion and recommendations made by staff.**

Mr. Smith had previously asked board members to provide input into possible changes to the "Operation of the Board." Mr. Smith compiled the input and provided a red-lined draft for review by members for discussion at the meeting. Commissioner Morrow suggested one change to a reference listed in the document and Commissioner Hanebeck asked if the referenced statutes could be included as well.

MOTION: Moved to accept the Operations of the Board documents as revised.

MADE BY: Commissioner Bass

SECONDED BY: Commissioner Goodson

VOTES IN FAVOR: Salling, Goodson, Bass, Hanebeck, Morales, Bisbee, Morrow

VOTES OPPOSED: None

**VII Public Comment. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2) of NRS 241.020.**

Pat Hines of Nevada Cure made a comment that she was not given the proposed revision of the Operation of the Board packets in an adequate amount of time to review. Mrs. Hines was told that they were available to the public the same day they were provided to the members of the Board.

**VII Adjournment** The Board adjourned at 12:40PM.